



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: ADDITIONAL STORIES ON SLOPING LOT	Number: 18-09 AM
Originating Department DEPARTMENT OF PERMITTING SERVICES	Effective Date:

Montgomery County Regulation on:

ADDITIONAL STORIES ON SLOPING LOTS

Department of Permitting Services

Issued by County Executive
Regulation # 18-09 AM

Authority: Code Section 59-A-5.41

Supersedes:

Council Review: Method 2 under Code Section 2A-15
Register Vol. , Issue

Comment Deadline: October 31, 2009

Effective Date:

Sunset date: None

SUMMARY:

This regulation adopts a method by which the Department of Permitting Services calculates when a lot slopes sufficiently to merit additional stories on the down side of the sloping lot.

ADDRESSES:

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Rockville, Maryland 20850

STAFF CONTACT:

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BACKGROUND:

The Department of Permitting Services is responsible for the enforcement of the Zoning Ordinance, Chapter 59 of the Montgomery County code as amended. This regulation provides the method used by the Department of Permitting Services to calculate whether a lot has sufficient slope to allow additional stories on the down side of the lot.



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Section 1: Purpose

This regulation establishes the process for determining if a lot slopes sufficiently to allow additional stories on the downhill side of a building erected on a sloping lot.

Section 2: Applicability

This regulation applies to any lot that is determined to slope sufficiently to allow additional stories in excess of the number of stories allowed in the zone as defined in 59-A-5.41 of the *Zoning Ordinance*.

Section 3: Policy

3.0 It is the policy of the Department of Permitting Services to determine a lot to be sloping when any of the following circumstances occur on the lot:

- (1) there is a change in vertical elevation of a least one (1) foot for each twelve (12) feet of horizontal distance when measured from predevelopment grade between any of the following points:
 - (a) from front lot line to rear of building or addition;
 - (b) from rear lot line to front of building or addition;
 - (c) from front building restriction line to rear building restriction line;
 - (d) from rear building restriction line to front building restriction line;
 - (e) from front of building or addition to rear of building or addition;
 - (f) from rear of building or addition to front of building or addition;
 - (g) between side building restriction lines; or
 - (h) from one side of building or addition to other side of building or addition, and
- (2) Between the points selected, there is a change in elevation of at least six feet.

June 15, 2010



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Number: 18-09 AM**Originating Department**

DEPARTMENT OF PERMITTING SERVICES

Effective Date:**EFFECTIVE DATE****Section 4.**This regulation is effective on [April 1, 2010] June 15, 2010.
Isiah Leggett, County Executive6/14/10
DateApproved as to form and legality
Montgomery County, Md. County Attorney's Office